

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal Case No. 23-CR-07 (DSD/JFD)

| | | |
|---------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | DEFENDANT'S MOTION FOR |
| vs. |) | EXTENSION OF DEADLINE |
| |) | FOR PRETRIAL MOTIONS |
| RIVER WILLIAM SMITH, |) | |
| |) | |
| Defendant. |) | |

PLEASE TAKE NOTICE that Defendant River William Smith, through undersigned counsel, hereby moves the Court for an Order extending the deadline for filing pretrial motions which is currently set for February 3, 2023 (Doc. 10, para. 10), and to extend other deadlines that are related to motions that may be filed. The defense suggests a three week extension, but would be amenable to a 2-4 week extension. The grounds for this Motion are that the defense is still receiving and going through discovery. The government's disclosure deadline under the scheduling order was January 20, 2023. It provided a substantial volume of discovery that night. Undersigned counsel could not mail important parts of that discovery to Mr. Smith until January 25, after a protective order was issued. Undersigned counsel received additional discovery from the government on January 28, and received further important discovery today which includes materials relevant to potential dispositive pretrial motions. It appears that there are some items missing from the latest disclosure, and the organization of and software for opening video files is confusing. The government has further informed undersigned

counsel that it plans to provide further discovery in the next week. In light of the continuing disclosures, it is not possible for undersigned counsel to fully review the materials, provide them to and discuss them with Mr. Smith in the jail, make an informed decision about what pretrial motions to file, and prepare those pretrial motions by tomorrow's deadline.

Undersigned counsel has conferred with the prosecutor about his plan to request an extension, and she does not object.

Dated: February 2, 2023

LAW OFFICE OF JORDAN S. KUSHNER

By s/Jordan S. Kushner

Jordan S. Kushner, ID 219307

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